

REMARKS/ARGUMENTS

Applicant respectfully requests reconsideration of the present application in view of the following reasons. Claims 1-20, 22, 25, 26, 30, 32, 33, 37, 38, 40-43, 45, 47, 51-55, and 59-63 were previously canceled. Claims 21, 23, 24, 27-29, 31, 34-36, 39, 44, 46, 48-50, 56-58 and 64-66 are now pending in this application.

Applicant thanks the Examiner for withdrawing the previous rejection.

I. Rejection of Claims 21, 23, 24, 27-29, 31, 34-36, 39, 44, 46, 48-50, 56-58, 64 and 65-66 under 35 U.S.C. § 103(a)

Claims 21, 23, 24, 27-29, 31, 34-36, 39, 44, 46, 48-50, 56-58, 64 and 65 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over United States Patent No. 6,055,566 to Kikinis ("Kikinis") in view of United States Patent No. 6,653,933 to Raschke et al ("Raschke"). Applicant respectfully traverses the rejection.

1. The rejection should be withdrawn because Raschke is not prior art

As detailed in the previous response, the present application is a divisional application of U.S. Patent Application No. 09/841,268, filed April 24, 2001, which claims benefit of U.S. 60/268,434, filed February 21, 2001, and U.S. 60/199,638, filed April 25, 2000, and which is a Continuation-in-Part (CIP) of patent application number 09/519,007, filed March 3, 2000, which claims benefit to 60/122,727, filed March 4, 1999.

Raschke has a filing date of August 17, 2001. It claims priority to a provisional application, U.S. 60/226,478, filed on August 18, 2000. Thus, all of the following applications from which the present application claim priority were filed before the provisional application of Raschke: U.S. 60/122,727 (filed March 4, 1999), U.S. 09/519,007 (filed March 3, 2000), and U.S. 60/199,638 (filed April 25, 2000).

Applicant submitted evidence that the claims of the present application are supported by U.S. 09/519,007 (filed March 3, 2000) in the previous response. However, for the convenience of the Examiner, Applicant has included the same chart as before and a copy of U.S. 09/519,007.

U.S. Patent Application No. 09/519,007 (the '007 application) filed March 3, 2000, provides support for the rejected claims. The chart below demonstrates examples of the support of the rejected claims provided by the '007 application. A copy of the '007 application is submitted herewith for the convenience of the Examiner. Accordingly, Raschke cannot be used as prior art. Applicant respectfully requests withdrawal of the rejection.

The '007 application includes at least two embodiments having features included in the rejected claims: a general purpose computer embodiment and a personal digital assistant (PDA) embodiment. The general purpose computer embodiment is described on page 10 of the '007 application. The PDA embodiment is described on page 9 of the '007 application. Cited portions from the '007 application in the chart below are only examples of support in the application.

| Claim Elements from Claim 21 | General Purpose Computer Embodiment in the '007 app | PDA Embodiment in the '007 app |
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| a first interface configured to communicate with a wide area network (WAN); | P. 10, lines 11-14, The PDA communicates with just the general purpose computer, and as an example, it uses wireless or IEEE 802.11 to communicate. | P. 9, line 22-23, Sound files are transferred onto the PDA when the PDA synchronizes with the desktop computer. |
| a second interface configured to communicate with a client device via a local area network (LAN); | P. 10, lines 12-14, the general purpose computer communicates with the alarm clock station, and as an example, it uses Ethernet to communicate. | P. 9, line 24, the sound files are transferred from the PDA to the alarm clock dock. |
| a server comprising a storage device, wherein the server is coupled to the first interface and the second interface, wherein the server is configured to retrieve a user specified content from a facility via the first interface, to store the user specified content, and to deliver the user specified content to the client device via the second interface | P. 10, lines 3-5, 13-14, a computer can be a server and it inherently has a storage device. Fig. 8, scenario 1 and the other embodiments shows retrieving data from the PDA and transferring it to the alarm clock station. | P. 1, line 22, P. 9, lines 22-25, the PDA acts as a server, and has memory per p. 1. Lines 22-25 show that the PDA receives data from the computer, then the PDA transfers the data per a communication scheme to the alarm clock. The PDA stores content between transfers. |

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| wherein the server further comprises a graphical user interface (GUI) configured to associate the user specified content with the client device and to schedule a time when the user specified content will be automatically delivered to the associated client device via the LAN. | P. 9, lines 3-8, the timing intervals can be programmed from a program interface into the computer. | P. 9, lines 3-8, the timing intervals can be programmed from a program interface into the PDA. |
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Claims 46 and 48 have similar support in the '007 application.

| Claim Elements from Claim 29 | General Purpose Computer Embodiment in the '007 app | PDA Embodiment in the '007 app |
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| downloading user specified content to a server from a facility via a wide area network (WAN); | P. 10, lines 3-5, 13-14, a computer can be a server. Fig. 8, scenario 1 and the other embodiments show retrieving data from the PDA. | P. 1, line 22, P. 9, lines 22-25, the PDA is acting as a server. Lines 22-25 show that the PDA receives data from the computer. |
| delivering the user specified content from the server to a client device via a local area network (LAN), wherein the client device is specified to the server by a user and the user specified content is delivered from the server-to the client device according to a first schedule specified to the server-by the user; and | P. 10, lines 3-5, 13-14, P. 9, lines 3-9. Fig. 8, scenario 1 and the other embodiments show transferring content to the alarm clock station, P. 9 shows the use of a schedule to deliver the data to the alarm clock. | P. 9, lines 22-25, the PDA transfers the data per a communication scheme to the alarm clock dock. |
| automating the downloading and the delivering of the user specified content | P. 9, lines 3-8, the timing intervals can be programmed from a program interface into the computer. | P. 9, lines 3-8, the timing intervals can be programmed from a program interface into the PDA. |

Claim 35 has similar support in the '007 application.

| Claim Elements from Claim 44 | General Purpose Computer Embodiment in the '007 app | PDA Embodiment in the '007 app |
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| selecting a content to be downloaded from a wide area network (WAN) to a | P. 9, lines 3-9, shows the use of selecting data at a | P. 9, lines 3-9, shows the use of selecting data at a |

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| local system using a content selection interface of the local system; | computer to schedule for delivery to the alarm clock. | PDA to schedule for delivery to the alarm clock. |
| downloading the content from the WAN to the local system based on an availability of the content; and | P. 10, lines 3-5, 13-14, a computer can be a server. Fig. 8, scenario 1 and the other embodiments show retrieving data from the PDA. | P. 1, line 22, P. 9, lines 22-25, the PDA is acting as a server. Lines 22-25 show that the PDA receives data from the computer. |
| automatically delivering the content from the local system to a client device via a local area network (LAN) at a user specified time using a scheduling interface of the local system. | P. 10, lines 3-5, 13-14, P. 9, lines 3-9. Fig. 8, scenario 1 and the other embodiments show transferring to the alarm clock station. P. 9 shows the use of a schedule to deliver the data to the alarm clock. | P. 9, lines 22-25, the PDA transfers the data per a communication scheme to the alarm clock dock. |

Claims 56, 64, and 66 have similar support in the '007 application.

The rejected claims have support in the '007 application which was five months before the provisional to which Raschke claims priority. As such, Raschke is not prior art. Applicant respectfully requests withdrawal of the rejection under 35 U.S.C. § 103(a) based on the combination of Kikinis and Raschke.

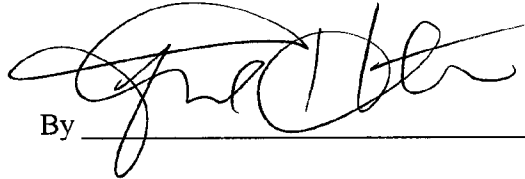
II. Conclusion

Applicant believes that the present application is in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested. The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment instructions in EFS-Web being incorrect or absent, resulting in a rejected or incorrect credit card transaction, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely

acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,


By _____

Date February 19, 2010

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